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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
SCHEIBEL, ROBERT C	
ART UNIT	**PAPER NUMBER**
2666	

DATE MAILED: 10/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/706,240	JOO ET AL.	
	Examiner	Art Unit	
	Robert C. Scheibel	2666	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 July 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *13,15,19-21 and 23-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *13,15,19-21 and 23-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see section "Objections to the Drawings" on page 13, filed 7/1/2004, with respect to objections to the drawings have been fully considered and are persuasive. The objections to the drawings have been withdrawn.

2. Applicant's arguments, see section "Objections to the Specification" on page 13, filed 7/1/2004, with respect to objections to the specification have been fully considered and are persuasive. The objections to the specification have been withdrawn.

3. Applicant's arguments, see section "Objections to the Claims" on page 13, filed 7/1/2004, with respect to objections to claims 2, 7, and 12 have been fully considered and are persuasive. The objections to the claims have been withdrawn.

4. Applicant's arguments, see section "Rejections – 35 U.S.C. 112" on page 13, filed 7/1/2004, with respect to the rejections of claims 4 and 22-25 under 35 U.S.C. 112, second paragraph, have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new grounds of rejection under 35 U.S.C. 112, second paragraph, is made in view of the amended claim limitations. The details are included below.

5. Applicant's arguments, see section "Rejections – 35 U.S.C. 102" on page 14, filed 7/1/2004, with respect to the rejection of claims 1-3 and 7-10 under 35 U.S.C. 102(a) have been fully considered and are persuasive. The rejections of cancelled claims 1-3 and 7-10 have been withdrawn.

6. Applicant's arguments, see section "Allowable Subject Matter" on page 12 and section "Rejections – 35 U.S.C. 103" on page 14, filed 7/1/2004, with respect to the rejection of claims 4-6, 11-17, 22, and 25 under 35 U.S.C. 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of newly found reference U.S. Patent 6,680,922 to Jorgensen. Briefly, Applicant's admitted prior art (AAPA) discloses the majority of the claimed subject matter (with the exception of the virtual circuit identity code); Jorgensen discloses this limitation as described in detail in the rejections below. In view of this newly found prior art, the pending claims are rejected.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims **23-26** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

9. Claims **23-26** recite the limitation "said second signal protocol" in lines 10, 10, 1, and 1, respectively. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

11. Claims **13, 15, 19-21, and 23-26** are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art (AAPA) in view of U.S. Patent 6,680,922 to Jorgensen.

Regarding claims **13 and 15**, AAPA discloses a multi-protocol packet-based base station in element 210 of figure 2. Applicant's admitted prior art discloses the limitation of the wireless signaling logic and the media gateway control protocol logic in lines 11-13 of page 4 (line numbers maintained from first office action and thus refer to the original specification). The protocol units for handling wireless signaling and multi-media transactions clearly disclose the signaling and media control logic. Further, regarding claim 15, AAPA discloses the limitation of a call agent in element 220 of Figure 2 and the limitation of the mobile terminals adapted to communicate via multiple protocols in the mobile terminals of Figure 2.

Regarding claims **23 and 24**, AAPA discloses steps of receiving a call message and processing the call message in the protocol unit to handle wireless signaling described on line 12 of page 4 (line numbers maintained from first office action and thus refer to the original specification). It is inherent that the base station must receive call messages if the protocol unit is going to actually handle wireless signaling. Further, it is also inherent that the protocol unit for handling wireless signaling will process the call messages. AAPA further discloses transmitting messages to a destination using RTP/MGCP in lines 19-21 of page 4 of the updated specification and in Figure 2.

AAPA does not disclose expressly the limitation of the address generation logic for generating a virtual circuit identity code (claims 13 and 15). AAPA also does not disclose

expressly the limitations of providing a virtual circuit identity code (claim 23) or providing a unique communication identifier (claim 24).

Jorgensen discloses a wireless base station 302 in figure 3B. This base station receives or transmits packets using a wireless protocol via interface 290d and transmits or receives them via the data network 142 to/from the IP Telephony Gateway 288b or the router 140d. Jorgensen teaches in lines 5-9 and 60-63 of column 33 that data network 142 can be an ATM network. As is well known and as Jorgensen teaches (see lines 15-17 of column 34 as one example), ATM uses virtual circuits to deliver information to the proper destination. It is clear that the wireless base station must have a way of identifying which data traffic received using the wireless protocol is to be switched to which particular virtual circuit in order for the information (voice, data, etc.) to be delivered properly. The wireless base station must have address generation logic for generating a virtual circuit identification code so that the traffic can be properly routed to/from ATM virtual circuits and the wireless interface. Thus, Jorgensen teaches the limitation of address generation logic as well as the limitations of providing a virtual circuit identity code and a unique communication identifier. AAPA and Jorgensen are analogous art because they are from the same field of endeavor of wireless communication systems. At the time of the invention it would have been obvious to a person of ordinary skill in the art to modify AAPA to add address generation logic such that the base station could use an ATM based network. The motivation for doing so would have been to provide better real-time (CBR) performance as suggested by Jorgensen in lines 18-23 of column 35. Therefore, it would have been obvious to combine Jorgensen with AAPA for the benefit of better real-time performance to obtain the invention as specified in claims 13, 15, 23 and 24.

Regarding claims **19**, Jorgensen discloses the limitations in Figure 3B and the passages cited above. The base station uses an indicator to match the traffic from the wireless interface to the proper virtual circuit on the network 142.

Regarding claims **20-21**, AAPA discloses the limitations of these claims in Figure 2 and lines 19-21 of the updated specification. (The first protocol is TIA/EIA-634 and the second protocol is MGCP). Similarly, figure 2 and lines 19-21 of AAPA disclose the limitations of claims **25 and 26**.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert C. Scheibel whose telephone number is 571-272-3169. The examiner can normally be reached on Monday and Thursday from 6:30-5:00 Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema S. Rao can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RCS 9-30-04
Robert C. Scheibel
Examiner
Art Unit 2666

DANG TON
PRIMARY EXAMINER